

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
LITTLE ROCK DIVISION

JOHN K. MISENER

PLAINTIFF

V.

CASE NO. 4:08CV00346 HLJ

MICHAEL J. ASTRUE,  
Commissioner, Social  
Security Administration

DEFENDANT

**ORDER**

On August 26, 2009, the court entered an Order and Judgment reversing the decision of the Commissioner and remanding the case for further proceedings. Plaintiff has filed a motion for attorney's fees pursuant to the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412. He seeks compensation for 30.40 hours of work performed by his attorney in 2008 and 2009 at a rate of \$125.00 per hour. The Commissioner does not object to the number of hours or the hourly rate submitted by Plaintiff. Accordingly, the court grants Plaintiff compensation for 30.40 hours of work at \$125.00 per hour for a total of \$3800.

IT IS THEREFORE ORDERED that Plaintiff is awarded attorney's fees in the amount of \$3800. The Commissioner is directed to certify said award and pay Plaintiff's attorney in this amount.

SO ORDERED this 25<sup>th</sup> day of November, 2009.

  
UNITED STATES MAGISTRATE JUDGE